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# INTERNATIONAL PRELIMINARY EXAMINATION REPORT



(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 11133P6WO/AB	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/04329	International filing date (day/month/year) 06.10.2003	Priority date (day/month/year) 12.10.2002
International Patent Classification (IPC) or both national classification and IPC C11D11/00		
Applicant RECKITT BENCKISER N.V. et al		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.  
  
☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  01.04.2004	Date of completion of this report  24.01.2005
Name and mailing address of the International preliminary examining authority:   European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  Neys, P  Telephone No. +31 70 340-4183  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/GB 03/04329**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17):*

**Description, Pages**

1-28 as originally filed

**Claims, Numbers**

1-8 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

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**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-5
	No: Claims	6-8
Inventive step (IS)	Yes: Claims	1-5
	No: Claims	6-8
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

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**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following document:

D1: WO-A-0183667

D2: US-A-5728669

1. D1 (claims; examples) discloses a water-soluble pouch which is made of polyvinyl alcohol and encloses a fabric cleaning composition comprising a surfactant.

The subject-matter of claim 6 is defined by reference to a result to be achieved, namely a cleaning composition comprising at least one surfactant and optionally a super wetting agent, such that the combined surface tension effect is capable of reducing the surface tension of water below 28 mN/m when 10 g of the composition is dissolved in 4 litres of water. The subject-matter of claim 6 is therefore unclear (Article 6 PCT).

Although this characteristic is not explicitly disclosed in D1, D1 is considered to be novelty destroying for the subject-matter of claims 6-8 (Article 33(2) PCT).

2. It is clear from the description (page 4, lines 10-13) that besides the surfactant the presence of both a builder and a super wetting agent is essential. Further, it is stated in the description (page 14, lines 9-13) that the super wetting agents should be present at levels from 0.1 to 10 % w/w and should be selected from silicone glycol co-polymers and fluoro surfactants. These features which also seem essential to the invention are not present in claim 6.

3. None of the cited documents discloses a carpet cleaning method comprising the step of adding to the reservoir of a carpet cleaning machine a carpet cleaning liquid enclosed in a water-soluble container.

The subject-matter of claims 1-5 is therefore considered to be novel (Article 33(2) PCT).

4. D2 (claims; examples; column 8, lines 11-26; column 9, lines 16-55) discloses a liquid carpet cleaning composition comprising a surfactant, a builder and a sulfonated aliphatic fluoro surfactant as super wetting agent. The compositions are applied to the carpet directly from the container used for storage. The subject-matter of claim 1 differs

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from that of D2 in that the composition should be packaged in a water-soluble container which is added to the reservoir of the cleaning machine.

D1 (claims; examples) discloses the use of liquid cleaning compositions enclosed in water-soluble pouches for the laundering of fabrics.

Since D1 does not contain any reference to the use of the PVA enclosed compositions in carpet cleaning, the skilled person is not encouraged to add the compositions of D2 as water-soluble pouches to the reservoir of the carpet cleaning machine.

The subject-matter of claims 1-5 is therefore also regarded to be inventive (Article 33(3) PCT).